

02-09-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Miller et al.

Filing Date: Herewith

Attorney File No.: 14846-43

Entitled: BILLING WORKFLOW SYSTEM FOR CREDITING
CHARGES TO ENTITIES CREATING DERIVATIVES
EXPOSURE

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102

SIR:

It is requested that the above-captioned patent application, filed herewith, be granted Special status for accelerated examination. As set forth in MPEP § 708.02(VIII), such a petition requires: (1) that all claims be directed to a single invention; (2) a pre-examination search; (3) copies of the references identified in the search deemed most closely related to the claimed subject matter; (4) a detailed discussion pointing out with particularity how the claimed subject matter is patentable over the references; and (5) the fee set forth in 37 C.F.R. 1.17(h). As set forth in more detail below, Applicants have complied with each of these requirements and granting of this Petition is respectfully requested.

I. APPLICANT'S CLAIMED INVENTION

Applicants' claimed invention is directed to an automated billing workflow system that receives credit valuation adjustment (CVA) amounts associated with derivatives trades. The automated billing workflow system interacts with an Accounting System in order to make appropriate Profit and Loss (P&L) entries for the CVA amounts. The CVA amounts are billed to the business units which actually created the risk. The invention employs a plurality of Workflow Queues. As an item makes its way through the billing workflow, it may be slotted in one or more of these queues where further action will take place.

The current application comprises three independent claims. Independent claim 1 is

directed to a computer system for crediting charges to entities creating derivatives exposure. Independent claim 12 is directed to a computerized method for crediting charges to entities creating derivatives exposure. Independent claim 23 is directed to a computer-readable medium for storing instructions for carrying out the method steps of claim 12.

Should the Examiner determine that the claims are not directed to a single invention, Applicants will make an election without traverse according to established telephone-restriction practice. MPEP 708.02(VIII).

II. PRE-EXAMINATION SEARCH

A pre-examination search was performed by the professional search firm of Woolcott LLC (“Woolcott”) to locate the U.S. Patents and U.S. Patent Publications relevant to the inventive concept (the “Search”). Woolcott is located at 2001 Jefferson Davis Highway, Suite 411, Arlington, Virginia 22202, Tel: 800.223.9697, and has a web page address of <http://www.woolcott.com/index.html>.

The following classes and subclasses were searched.

Class	Subclasses
705	30, 34, 35, 37, 38, 39, 40

Woolcott pointed out three references deemed most closely related to the claimed subject matter:

- (1) U.S. Publication 2003/0225663 (published Dec. 4, 2003) to Horan et al. (“Horan”);
- (2) U.S. Publication 2002/0138398 (published Sep. 26, 2002) to Kalin et al. (“Kalin”);
- (3) U.S. Patent 6,185,544 (issued Feb 6, 2001) to Sakamoto et al. (“Sakamoto”);

(collectively referred to herein as the “Relevant References”). Each of the Relevant References is discussed in detail below.

Nothing in this Petition should be construed as an admission that any reference identified in the Search or discussed herein is available as prior art to the above-captioned application.

III. DETAILED DISCUSSION OF PATENTABILITY

The claimed subject matter of the above-captioned patent application is patentable over the Relevant References. Applicants provide detailed discussion in this Section that points out with particularity how the claimed subject matter is patentable over the Relevant References.

A. U.S. PUBLICATION 2003/0225663 (PUBLISHED DEC. 4, 2003) TO HORAN

The subject matter of the above-captioned patent application is patentable over Horan. Among other deficiencies, Horan does not disclose an automated billing workflow system for crediting charges to entities creating derivatives exposure. Rather, Horan discloses a platform including a portfolio management system, a workflow system, and a mutual fund recordkeeping system. The portfolio management system is configured to provide multi-asset transaction processing. The workflow system is coupled to the portfolio management system and is configured to deliver and process work based on user-defined priorities. The mutual fund recordkeeping system is coupled to the portfolio management system and is configured to record a mutual fund transaction. Since Horan does not teach or suggest Applicants' claimed invention, Applicants' invention as claimed is patentable over Horan.

B. U.S. PUBLICATION 2002/0138398 (PUBLISHED SEP. 26, 2002) TO KALIN

The subject matter of the above-captioned patent application is patentable over Kalin. Among other deficiencies, Kalin does not disclose an automated billing workflow system for crediting charges to entities creating derivatives exposure. Rather, Kalin discloses a method and apparatus for automatic network data transport contracting, provisioning, contract fulfillment, billing, and securing of bandwidth derivative financial instruments. The invention uses multiple bandwidth exchange nodes located within carrier neutral co-location facilities and incorporates a means of cross connect switch fabric within each node to provision bandwidth. Since Kalin does not teach or suggest Applicants' claimed invention, Applicants' invention as claimed is patentable over Kalin.

C. U.S. PATENT 6,185,544 (ISSUED FEB 6, 2001) TO SAKAMOTO

The subject matter of the above-captioned patent application is patentable over Sakamoto. Among other deficiencies, Sakamoto does not disclose an automated billing workflow system for crediting charges to entities creating derivatives exposure. Instead, Sakamoto discloses a system for processing charge request data. The charge request data does

not include or relate to derivatives or any other type of financial instrument. The charges are for such things as electricity, telephone and water supply. Since Sakamoto does not teach or suggest Applicants' claimed invention, Applicants' invention as claimed is patentable over Sakamoto.

Accordingly, because the Relevant References fail to teach or suggest one or more feature recited in the claimed subject matter, these references, either alone or in combination, would not have anticipated or rendered obvious the claimed subject matter.

IV. CONCLUSION

In view of the foregoing, Applicants' have met all the requirements for accelerated examination set forth in 37 C.F.R. § 1.102 and as detailed in MPEP § 708.02(VIII). Accordingly, Applicants respectfully request this case be made special for expedited examination. Please charge the required fee set forth in 37 C.F.R. § 1.17(h), estimated to be \$ 130.00, to Deposit Account No. 501358.

Respectfully submitted,



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